

RSA No. 514 of 2018

4.9.2019

Present: Mr. Sudhir Thakur, Senior Advocate with Mr. Anirudh Sharma, Advocate, for the appellants.

Mr. V.S.Chauhan, Senior Advocate with Mr. Ajay Kashyap, Advocate, for the respondent No. 1(b).

Mr.Vijay K. Sharma, Advocate, for respondents No. 2, 4 to 6 and 8.

Mr. Vijay Sharma, Advocate, for respondents No. 3 and 7.

Mr.Ajay Kashyap, Advocate is permitted to, within two weeks, file requisite power of attorney, in his favour by the respondent No. 1(b) for authorizing his representation on his behalf in successive proceedings before this Court.

After hearing the learned counsel appearing for the contesting parties, the instant appeal stands admitted on the following substantial questions of law:

1. Whether it was appropriate for the learned first appellate Court, to de hors placing on record, of, the order of partition, made, vis-à-vis, the suit Khasra Nos. concerned, by the Revenue officer concerned, to, hence merely upon affirmative answer being meted, by the plaintiff, to the suggestion, put to her, by the learned counsel concerned, that, a partition has occurred, on 13.11.2007, to hence believe that there is valid dismemberment of the suit Khasra Nos, moreso, when the relevant record does not reflect that any mutation, in consonance, thereto having come to be attested.?

CMP No. 11558 of 2018

Heard. During the pendency of the instant appeal, the parties are directed to maintain status quo, with respect to nature and possession of the suit land, and also with respect to revenue entries of suit Khasra Nos. The application stands disposed of.

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(Sureshwar Thakur)
Judge

September 4, 2019
(Kalpana)

